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PATENT  
021911.000500US  
OBM30

By: Pamela Skelton  
Pamela Skelton

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

M.W. Carroll et al.

Application No.: 09/533,798

Filed: 24 March 2000

For: Polypeptide

Examiner: SALIMI, Ali Reza

Art Unit: 1648

REQUEST FOR CORRECTED FILING  
RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application. Due to an error in the Receipt, issuance of a corrected filing receipt is respectfully requested.

To facilitate the correction, Applicants submit herewith an Application Data Sheet (ADS) containing the correct information. Support for the correction is provided by the attached copy of the executed inventor declaration, filed June 28, 2000. That declaration includes all of the priority claims listed above (see page 2 in the declaration).

The error is present under "Continuing Data as Claimed by Applicant", where the information should read as follows:

This application is a CON of PCT/GB99/03859 11/18/99

and claims benefit of 60/126,187 03/25/1999

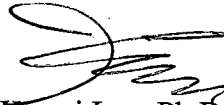
and claims benefit of 60/126,188 03/25/1999.

The corrections are shown on the attached marked up copy of the filing receipt.

The correction is not due to any error by applicant and no fee is believed to be due.

The Office is respectfully requested to contact the undersigned in the event that additional information is needed to expedited the processing of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kawai Lau', with a stylized flourish at the end.

Kawai Lau, Ph.D.  
Reg. No. 44,461

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
KL/ps

## **Application Data Sheet**

### **Application Information**

Application number::	09/533,798
Filing Date::	03/24/00
Application Type::	Regular
Subject Matter::	Utility
Suggested classification::	
Suggested Group Art Unit::	
CD-ROM or CD-R??::	
Number of CD disks::	
Number of copies of CDs::	
Sequence Submission::	
Computer Readable Form (CRF)?::	
Number of copies of CRF::	
Title::	POLYPEPTIDE
Attorney Docket Number::	021911-000500US
Request for Early Publication::	No
Request for Non-Publication::	No
Suggested Drawing Figure::	
Total Drawing Sheets::	14
Small Entity?::	
Latin name::	
Variety denomination name::	
Petition included?::	No
Petition Type::	
Licensed US Govt. Agency::	
Contract or Grant Numbers One::	
Secrecy Order in Parent Appl.::	No

**Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: United Kingdom  
Status:: Full Capacity  
Given Name:: Miles  
Middle Name:: William  
Family Name:: Carroll  
Name Suffix::  
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State or Province of Residence:: Oxon  
Country of Residence:: United Kingdom  
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State or Province of mailing address:: Oxon  
Country of mailing address:: United Kingdom  
Postal or Zip Code of mailing address:: OX12 9XW

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: United Kingdom  
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Middle Name:: Alan  
Family Name:: Myers  
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State or Province of Residence:: Oxon  
Country of Residence:: United Kingdom  
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City of Mailing Address:: Wantage  
State or Province of mailing address:: Oxon

Country of mailing address:: United Kingdom  
Postal or Zip Code of mailing address:: OX12 7EG

### **Correspondence Information**

Correspondence Customer Number:: 20350

### **Representative Information**

Representative Customer Number:: 20350

### **Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	CON	PCT/GB99/03859	11/18/1999
	Provisional	60/126,188	03/25/1999
	Provisional	60/126,187	03/25/1999

### **Foreign Priority Information**

Country::	Application number::	Filing Date::
United Kingdom	9825303.2	11/18/1998
United Kingdom	9901739.4	01/27/1999
United Kingdom	9917995.4	07/30/1999

### **Assignee Information**

Assignee Name:: Oxford Biomedica (UK) Limited  
Street of mailing address:: Medawar Center, Robert Robertson Avenue  
City of mailing address:: Oxford  
State or Province of mailing address::  
Country of mailing address:: United Kingdom  
Postal or Zip Code of mailing address:: OX4 4GA

60834940 v1



# DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## POLYPEPTIDE

(Attorney Docket No. 078883/0120)

the specification of which (check one)

       is attached hereto.

  X   was filed on March 24, 2000 as United States Application Number  
or PCT International Application Number 09/533,798  
and was amended on        (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
9825303.2	United Kingdom	Nov. 18, 1998	Yes	
9901739.4	United Kingdom	Jan. 27, 1999	Yes	
9917995.4	United Kingdom	July 30, 1999	Yes	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/126,187	3/25/1999
60/126,188	3/25/1999

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
	PCT/GB99/03859	Nov. 18, 1999	

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith:

STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 26,257
BETH A. BURROUS	Reg. No. 35,087
ALAN I. CANTOR	Reg. No. 28,163
WILLIAM T. ELLIS	Reg. No. 26,874
JOHN J. FELDHAUS	Reg. No. 28,822
PATRICIA D. GRANADOS	Reg. No. 33,683

JOHN P. ISACSON	Reg. No. 33,715
MICHAEL D. KAMINSKI	Reg. No. 32,904
LYLE K. KIMMS	Reg. No. 34,079
KENNETH E. KROSIN	Reg. No. 25,735
JOHNNY A. KUMAR	Reg. No. 34,649
GLENN LAW	Reg. No. 34,371
PETER G. MACK	Reg. No. 26,001
BRIAN J. MC NAMARA	Reg. No. 32,789
SYBIL MELOY	Reg. No. 22,749
RICHARD C. PEET	Reg. No. 35,792
GEORGE E. QUILLIN	Reg. No. 32,792
COLIN G. SANDERCOCK	Reg. No. 31,298
BERNHARD D. SAXE	Reg. No. 28,665
CHARLES F. SCHILL	Reg. No. 27,590
RICHARD L. SCHWAAB	Reg. No. 25,479
ARTHUR SCHWARTZ	Reg. No. 22,115
HAROLD C. WEGNER	Reg. No. 25,258

and I request that all correspondence be directed to:

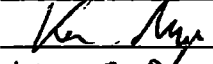
Bernhard D. Saxe  
 FOLEY & LARDNER  
 Washington Harbour  
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 Washington, D.C. 20007-5109

Telephone: (202) 672-5427  
 Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Miles William CARROLL
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Citizenship	United Kingdom
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Inventor's signature	<i>Miles W Carroll</i>
Date	10 <sup>th</sup> May 2000

Name of second inventor Kevin Alan MYERS  
Residence Oxon, United Kingdom  
Citizenship United Kingdom  
Post Office Address RM. 7 TruelocksWay, Wantage, Oxon, United Kingdom OX12  
7EG  
Inventor's signature   
Date 10.05.06

Name of third inventor  
Residence  
Citizenship  
Post Office Address  
Inventor's signature  
Date

Name of fourth inventor  
Residence  
Citizenship  
Post Office Address  
Inventor's signature  
Date

# FILING RECEIPT



\*OC000000005263225\*



## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/533,798	03/24/2000	1643	905	078883/0120	14	36	11

Bernhard D Saxe  
Foley & Lardner  
Washington Harbour  
3000 K Street N W Suite 500  
Washington, DC 20007-5109

Date Mailed: 07/24/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

### Applicant(s)

Miles William Carroll, Oxon, UNITED KINGDOM;  
Kevin Alan Myers, Oxon, UNITED KINGDOM;

### Continuing Data as Claimed by Applicant

*IS A CON OF PCT/GB99/03859 11/18/1999 AND*  
THIS APPLN CLAIMS BENEFIT OF 60/126,187 03/25/1999  
~~THIS APPLN CLAIMS BENEFIT OF 60/126,187 03/25/1999~~  
~~AND WHICH CLAIMS BENEFIT OF 60/126,188 03/25/1999~~  
~~AND CLAIMS BENEFIT OF 60/126,188 03/25/1999~~

### Foreign Applications

UNITED KINGDOM 9825303.2 11/18/1998  
UNITED KINGDOM 9901739.4 01/27/1999  
UNITED KINGDOM 9917995.4 07/30/1999

If Required, Foreign Filing License Granted 06/14/2000

\*\* SMALL ENTITY \*\*

### Title

Polypeptide

### Preliminary Class

424

Data entry by : KINARD, VALERIE

Team : OIPE

Date: 07/24/2000



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
 Office of Initial Patent Examination  
 Customer Service Center  
 Washington, DC 20231